

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

**BRUNSON ROBERTS,
ADC #127841**

PLAINTIFF

v.

Case No. 3:20-cv-391-KGB-BD

DEXTER PAYNE, *et al.*

DEFENDANTS

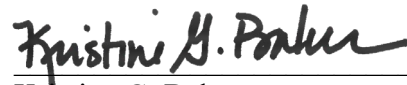
ORDER

Before the Court is a Partial Recommended Disposition submitted by United States Magistrate Judge Edie R. Ervin (Dkt. No. 59). Plaintiff Brunson Roberts filed written objections (Dkt. No. 64). After careful consideration of the Partial Recommended Disposition and all objections, and after a *de novo* review of the record, the Court concludes that the Partial Recommended Disposition should be, and hereby is, approved and adopted as this Court's findings in all respects (Dkt. No. 59).

The Court writes to address Mr. Roberts's objections to the Partial Recommended Disposition (Dkt. No. 64). Judge Ervin construed Mr. Roberts's motion partially entitled "Seeking Emergency Help to Stop Retaliation and Abuse by ADC Employees" as a request for a preliminary injunction (Dkt. No. 59, at 2). Judge Ervin concluded that Mr. Roberts's motion concerned new conduct unrelated to the conduct at issue in this lawsuit, and, therefore, must be denied (*Id.*, at 4). Mr. Roberts takes issues with Judge Ervin's determination and contends that "he filed a motion seeking help under other federal statutes that would allow the Court judicial review." (Dkt. No. 64, at 1). Based on a *de novo* review of the record, at this time, the Court overrules Mr. Roberts's objections and adopts Judge Ervin's Partial Recommended Disposition (Dkt. No. 59). Mr. Roberts's motion, which the Court also construes as a request for a temporary restraining order or for preliminary injunctive relief, is denied (Dkt. No. 58). The Court certifies pursuant to 28 U.S.C.

§ 1915(a) that an *in forma pauperis* appeal taken from this Order would not be taken in good faith.

So ordered this 4th day of March, 2022.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Kristine G. Baker
United States District Judge